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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/752,926	01/07/2004	Richard J. Boos	BOOS-11199	5782
23123	7590	10/31/2006	EXAMINER	
SCHMEISER OLSEN & WATTS 18 E UNIVERSITY DRIVE SUITE # 101 MESA, AZ 85201			PATEL, NITIN	
			ART UNIT	PAPER NUMBER
			2629	

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/752,926	Applicant(s) BOOS, RICHARD J.	
	Examiner Nitin Patel	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☒ Claim(s) 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/7/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Koenig (US 20020021258).

As per claim 1, Koenig shows an electronic memorandum system (in fig.1 and 2) and storage of information having a data entry device for receiving manual entry of information from a user (in fig.7 user input element), at least one data display member operationally coupled to the data entry device (element 42 in fig.2 and 3), data display member coupable to a video monitor display monitor (in fig.2 and 3 element 40) and data display member providing a visual record of the information entered by the user (in section 0033).

As per claim 2, Koenig shows a housing adapted for resting upon a horizontal surface, the housing having a top surface and a touch screen being operationally coupled to the top surface the touch screen vacillating capture of information written on the touch screen by a user (In fig.1 and 2 bottom part of the device is having horizontal surface and touch screen).

As per claims 3,7 Koenig shows a stylus member for entry of the information onto the touch screen (in section 0034 device used with a stylus on a touch screen device).

As per claims 4,8 Koenig shows data entry device being a wireless device (in fig.3).

As per claims 5,9 Koenig shows a housing operationally coupable to a video display monitor, the housing having a back wall and a perimeter wall extending outwardly from a perimeter edge of the back wall and a display monitor screen positioned within the housing and abutting the perimeter wall such that the display screen is visible from a front of the housing (In fig.1 and 2).

As per claims 6, 11 Koenig shows an electronic memorandum system (in fig.1 and 2) and storage of information having a data entry device for receiving manual entry of information from a user (in fig.7 user input element), at least one data display member operationally coupled to the data entry device (element 42 in fig.2 and 3), data display member coupable to a video monitor display monitor (in fig.2 and 3 element 40) and data display member providing a visual record of the information entered by the user (in section 0033) and a housing adapted for resting upon a horizontal surface , the housing having a top surface and a touch screen being operationally coupled to the top surface the touch screen vacillating capture of information written on the touch screen by a user(In fig.1 and 2 bottom part of the device is having horizontal surface and touch screen) and a pair of data display member each one of pair of data display member being operationally coupled to data entry device, each of the data display member being coupable to an associated side of a video monitor (in fig.1 and 2) and a housing

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operationally coupable to a video display monitor, the housing having a back wall and a perimeter wall extending outwardly from a perimeter edge of the back wall and a display monitor screen positioned within the housing and abutting the perimeter wall such that the display screen is visible from a front of the housing (In fig.1 and 2).

As per claim 10, Koenig teaches a position of an item of user information is selectable by the user on either one of the pair of data display member (in section 0030-0032).

As per claims 12,13 Koenig shows displays members between a top data display member and a bottom data display member (in fig.1 and 2) and right and left member (in fig.1 and 2).

As per claims 14-18, Koenig shows first and second end portion of the display connected to the display monitor (In fig.1 and 2) and having a bracket to couple the element 41 and 42 to the display monitor element 40 and video display monitor to maximize a surface area of bracket member in contact with the video display monitor (in fig.1 and in section 0027).

Allowable Subject Matter

2. Claims 19-20 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art fails to teach or suggest a scanner assembly operational coupled to the data entry device, scanner assembly converting printed text to an input for the data

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entry device, scanner assembly facilitating captures of preprinted information as claimed in claim 19.

The prior art fails to teach or suggest the limitation of claim 20.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Patel whose telephone number is 571-272-7677.

The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H. Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nitin Patel
Examiner
Art Unit 2629

